

content-based specification set CCUST or selection of one of the preset content-based specification set CPRESET, the "V-Chip" circuitry 102 will analyze the content of the program P against the criteria set by the user. If the content of the program P transgresses the set criteria (i.e., the current content-based specification set CCUR), the television screen 110 will be blanked and a password screen will be displayed. If a valid passcode is entered, or if the television channel is changed, such that the content of a different program P does not transgress the set criteria, the program P will be displayed on the television screen 110. While preferred methods and embodiments have been shown and described, it will be apparent to one of ordinary skill in the art that numerous alterations may be made without departing from the spirit or scope of the invention. Therefore, the invention is not to be limited except in accordance with the following claims.

REMARKS

In the Office Action, the Examiner objected to the specification and rejected claims 1-7, 9, 11-18, and 20-28 under 35 USC § 102(b), and rejected claims 8, 10, and 19 under 35 USC § 103(a). Applicant has amended the specification to correct typographical errors contained therein. In view of the foregoing amendments and subsequent remarks, Applicant respectfully requests reconsideration and withdrawal of the Examiner's objections and rejections, and allowance of the subject Application.

Objections to the Specification

The Examiner objected to the specification at page 26, line 7 and submitted that the phrase “a program P” should be omitted. Applicant has amended the specification at page 26, line 7 by deleting the phrase “a program P does not” preceding the word “While.” In addition, Applicant amended the specification at page 3, line 10 by replacing the term “SCS” with “XDS.” Applicant submits no new matter has been added and that in view of these amendments the Examiner’s objections have been overcome and the specification has been placed in condition for allowance.

Claim Rejections – 35 USC § 102(b)

The Examiner rejected 1-7, 9, and 11-18 under 35 USC § 102(b) as being anticipated by Kim (USPN 5,995,133). Applicant has reviewed Kim carefully and submits that Kim does not disclose, teach or suggest “a method of supervising personal exposure to a consumer electronics device” as claimed in claims 1-7, 9 and 11-12 and “a permanent recordable media for a consumer electronics device” as claimed in claims 13-18. More particularly, Kim does not disclose, teach or suggest:

permanently storing one or more preset content-based
specification sets within the consumer electronics device, each of the one
or more preset specification sets comprising a rating and a subject matter
category;
as claimed in claim 1 or

one or more preset content-based specification sets, each of the
one or more preset content-based specification sets comprising a rating
and a subject matter category; and

as claimed in claim 13. As claims 1 and 13 indicate, the “preset content-based specification sets” include **both** “a rating” and “a subject matter category” and are selectable as such without further customization, manipulation or navigation by the user. A non-limiting example of a “preset content-based specification set” as provided in the specification is as follows:

Selection of the PRETEEN SETTING directs the logic unit 126 to select the first preset content-based specification set C_{PRESET1} stored in the permanent nonvolatile memory 124, as the current content-based specification set C_{CUR} . By way of non-limiting example, the PRETEEN SETTING can allow viewing of a program P only if that program P has a television rating of TV-Y7 or lower, a movie rating of G or lower, and contains no subject matter other than fantasy violence. Accordingly, the first preset content-based specification C_{PRESET1} stored in the permanent nonvolatile memory 124 will specify TV-PG, PG, and (D, L, S, V). Thus, selection of the PRETEEN SETTING blocks all programs P rated above TV-Y7 or G, and blocks all programs P containing sexual dialog, adult language, sexual situations and violence.

Kim, in contrast, discloses nothing more than that provided in the prior art, which Applicant distinguishes over in the “Background of the Invention” section of the

- application. For example, the Applicant notes the following in the "Background" section at page 4, lines 1-8:

A problem with the current "V-Chip" systems is that these systems are apparently not as user-friendly as the FCC had hoped. For example, the user must typically select, not only a television rating and/or movie rating, but also one or more subject matter categories (e.g., L, V, N), requiring that the user negotiate several menus within the menu system of the television. Adding to the complexity is the FCC requirement that the subject matter categories and ratings are interdependent. That is, only certain subject matter categories are selectable given a selected television or moving rating. Thus, a simpler implementation of a V-Chip system is desired.

As shown in Figure 5 and discussed at column 5, lines 7-67, Kim describes a system that requires a user to navigate through several menus to select a TV rating, a motion picture rating, and a content code. As claimed, preset content-based specification sets are provided that already include both a rating and a subject matter category. As a result, the user only needs to select a preset content-based specification set and does not need to navigate through extra menus to select TV and/or motion picture rating codes and content codes. Accordingly, claims 1 and 13, and claims 2-7, 9, 11-12, and 14-18 by virtue of their dependence upon claims 1 and 13, meet the requirements for patentability under 35 USC § 102(b).

The Examiner rejected claims 20-28 under 35 USC § 102(b) as being anticipated by Collings (USPN 5,828,402). Applicant has reviewed Collings carefully and submits

that Collings does not disclose, teach or suggest “a consumer electronics device having “V–chip” circuitry for supervising personal exposure to user discernible information” as claimed in claims 20-28. More particularly, Collings does not disclose, teach or suggest “permanent nonvolatile memory comprising one or more preset content–based specification sets, each of the preset content–based specification sets comprising a rating and a subject matter category” as claimed in claim 21. Like Kim, Collings discloses nothing more than that provided in the prior art, which Applicant distinguishes over in the “Background of the Invention” section of the application. As shown in Figures 5B through 5I and discussed at column 12, Collings describes a system that requires a user to navigate through several menus to select “category thresholds”, “restricted labels”, “restricted types”, etc. As claimed, preset content–based specification sets are provided that already include both a rating and a subject matter category. As a result, the user only needs to select a preset content–based specification set and does not need navigate through extra menus to select thresholds, labels, types, etc. Accordingly, claim 20, and claims 21-28 by virtue of their dependence upon claim 20, meet the requirements for patentability under 35 USC § 102(b).

Claim Rejections – 35 USC § 103(a)

The Examiner rejected claims 8 and 19 under 35 USC § 103(a) as being unpatentable over Kim and claim 10 under 35 USC § 103(a) as being unpatentable over Kim in view of Elam (USPN 5,557,338). As noted above, Kim fails disclose, teach or suggest:

permanently storing one or more preset content-based
specification sets within the consumer electronics device, each of the one
or more preset specification sets comprising a rating and a subject matter
category;

as claimed in claim 1 or

one or more preset content-based specification sets, each of the
one or more preset content-based specification sets comprising a rating
and a subject matter category; and

as claimed in claim 13. Applicant further submits that such limitations would not be obvious to one having ordinary skill in the art at the time the invention was made in light of Kim. Further, any suggestion to the contrary would require the inappropriate hindsight reconstruction of Kim and the inappropriate use of the claim language as a road map. Accordingly, a prima facie case of obviousness can not be made using Kim, nor Collings for the same reasons stated above. Applicants submit that claims 8, 10, and 19 meet the requirements for patentability under 35 U.S.C. § 103 as a result.

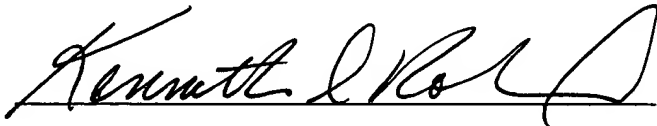
Conclusion

By entry of this amendment, Applicants respectfully submit that the Examiner's objections and rejections in the Office Action mailed July 5, 2002 have been overcome. Applicants respectfully request that the Examiner allow the application with the presently pending claims 1-28. The Examiner is invited to telephone the undersigned representative at (949) 567-6700 ext. 7760, if the Examiner believes that a telephonic interview would advance this case to allowance.

Respectfully submitted,

Dated: October 9, 2002

By:

A handwritten signature in black ink, appearing to read "Kenneth S. Roberts", written over a horizontal line.

Kenneth S. Roberts
Reg. No. 38, 283

KSR

Marked Version – Amended Specification

Page 3, lines 3-23:

Fig. 2 shows a schematic drawing of the prior art "V-chip" system. A television or other display 30 is the ultimate recipient of display information. Initially, some source of information such as a television signal 32 is supplied from any number of sources, such as over-the-air transmission, cable or other recorded source. Channel selection 34 controls the tuner 36 to select the desired information from television signal 32. The output of tuner 36 is an audio/video signal 38 corresponding to the channel selected. A data slicer 40 is coupled to the output of the tuner 36. The data slicer 40 functions to monitor the [SCS] XDS signal as carried in the audio/video signal 38. The data slicer 40 may either strip the XDS signal from the audio/video signal 38 or simply duplicate the XDS signal. With the "V-chip" system, the XDS data obtained by the data slicer 40 is program rating information. The program rating information is supplied from the data slicer 40 to the comparator 42. A list 44 of prohibited ratings is stored or provided. Typically, the system would identify all prohibited ratings by level, such as R and X, though a system could utilize logic to prohibit any rating at a given level or above (the convention above meaning more mature or more likely to be prohibited). In the event of coincidence between the output of the data slicer 40 comprising the rating data of the program and the list of prohibited ratings 44, the comparator 42 provides a blocking signal 46 to signal blocking mechanism 48. The signal blocking mechanism 48 functions as a switch, blocking or otherwise scrambling audio/video signal 38, such that the show having the prohibited rating is not displayed.

Page 25, line 21 – page 26, line 11:

Once the "V-Chip" circuitry is enabled, either through the menu system 150 or the dedicated "V-Chip" keys 202, and once the current content-based specification set CCUR is generated, via either the custom content-based specification set CCUST or selection of one of the preset content-based specification set CPRESET, the "V-Chip" circuitry 102 will analyze the content of the program P against the criteria set by the user. If the content of the program P transgresses the set criteria (i.e., the current content-based specification set CCUR), the television screen 110 will be blanked and a password screen will be displayed. If a valid passcode is entered, or if the television channel is changed, such that the content of a different program P does not transgress the set criteria, the program P will be displayed on the television screen 110. [a program P does not] While preferred methods and embodiments have been shown and described, it will be apparent to one of ordinary skill in the art that numerous alterations may be made without departing from the spirit or scope of the invention. Therefore, the invention is not to be limited except in accordance with the following claims.